

## REMARKS

### I. Preliminary Remarks

Claims 1, 9, and 30 have been amended. Claims 31 and 41-50 have been cancelled. Claims 1-25, 27, 29, 30, and 32-40 are now pending. Applicant wishes to clarify that claim for domestic priority to a provisional application no. 60/279,314 was not deleted.

Applicant wishes to express his appreciation to the Examiner for his/her time in the September 24, 2003 telephone interview. The above amendments to claims 1, 9, and 30 and the following remarks are in accordance with the material discussed in the telephone interview.

### Rejection Under 35 U.S.C. 112

Claim 1-8 and 49 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. According to the Examiner, the term "free" recited in claim 1 is unclear. The term "free" in the previously amended claim meant that the diaphragm is coupled to the upper edge of the cylinder but that the diaphragm is free along the upper edge of the cylinder without being coupled to any other structure. For instance, Figure 3 of the application discloses a diaphragm 102 coupled to the upper edge of the cylinder 104, but free from any other elements. In Sato, the diaphragm 8 has a lower edge 8a that is coupled to the upper edge of the cylinder 5. In addition, the diaphragm 8 extends from the lower edge 8a to form an outer periphery 8b that is provided with the cylindrical ring 10. As such, the diaphragm 8 coupled to the cylinder 5 is not free along 8a because it extends to form the outer edge 8a and the ring 10.

Furthermore, the term "free" has been deleted from the currently amended claim 1 so that the rejection under 35 U.S.C. 112 is now moot. Accordingly, Applicant respectfully submits that the above rejection be withdrawn.

### III. References Cited

The Examiner rejected the pending claims under 35 U.S.C. 102(b) as being anticipated by either Sato (U.S. Patent No. 5,848,173) or Peng (U.S. Patent No. 6,526,151). In addition, the Examiner rejected certain pending claims as being obvious when combining Sato or Peng with

one or more of the following references: Perkins (U.S. Patent No. 6,176,345); Kohara (U.S. Patent No. 5,511,131); and White (U.S. Patent No. 3,997,023).

Applicant respectfully traverses the rejections.

None of the cited references either alone or in combination teach or suggest the pending claims as amended. Amended independent claim 1 recites that the first and second surrounds have only one roll. In addition, claim 1 recites that the first and second surrounds are between the diaphragm and the voice coil. In other words, the voice coil is on the lower end of the cylinder.

Perkins and Kohara both disclose a multiple roll surround, and Sato discloses a multiple roll dampers 6a and 6b with a voice coil located on the lower end of the bobbin or cylinder 5. As such, these references do not teach or suggest the first and second surrounds only having one roll. Peng discloses two surrounds 40 and 15 with one roll and the voice coil 31 that is between the two surrounds. As such, Peng does not disclose a voice coil that is on the lower end of the cylinder, i.e., the first and second surrounds that are between the diaphragm and the voice coil, as recited in claim 1.

There is no motivation to combine Sato with other references like Peng to teach or suggest the claimed invention, because Sato is directed to a surroundless loudspeaker where the stability comes from an annular sealing member 11 that is attached around the lower edge of the ring 10. In contrast, Peng is directed to using the two surrounds for its stability. See beginning column 2, line 61 to column 3, line 3. Sato and Peng stabilize the cylinder in two very different ways so that one skilled in the art would not combine the teachings of Sato with Peng. As such, none of the cited references either alone or in combination teach or suggest two surrounds where each surround only has one roll with a voice coil located in the lower end of the cylinder. Accordingly, independent claim 1 and its dependent claims 2-8 are in condition for allowance over the cited references.

Independent claims 9 recites that the first and second surrounds only have one roll and that the voice coil is coupled to the lower end of the cylinder. As such, independent claim 9 and its dependent claims 10-25, 27, and 29 are allowable over the cited references. Likewise, independent claim 30 recites that the first and second surrounds only have one roll and that the second surround is between the first surround and the voice coil so that the first and second

surrounds are above the voice coil. As such, independent claim 30 and its dependent claims 32-40 are allowable over the cited references.

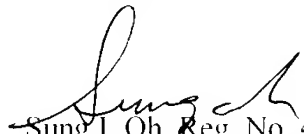
IV. Conclusion

In view of the foregoing, it is respectfully submitted that the claims in the application are patentably distinguishable over the cited and applied references and are in condition for allowance. Reexamination and reconsideration of the application, as amended, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicants' undersigned representative at (213) 689-5176 to discuss the steps necessary for placing the application in condition for allowance.

**The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, applicants respectfully request that this paper be considered a petition therefore.**

Respectfully submitted,

  
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